

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

BRIAN IVY SCOTT HARRIS,

Plaintiff,

-vs-

Case No. 13-CV-471

ROBERT HALLISY, DAVID BETH,
and JOHN MORRISEY,

Defendants.

ORDER

On June 11, 2013, the Court screened the complaint and found that, while the allegations implicated Harris' rights under the Eighth Amendment based on a deliberate indifference to a serious medical needs claim, he had not named proper defendants. The Court granted the plaintiff additional time to file an amended complaint naming proper defendants. The plaintiff subsequently filed a document titled Amended Complaint but the filing was deficient and failed to state a claim. The Court therefore granted the plaintiff additional time to file second amended complaint containing allegations against specific defendants. When the plaintiff did not file a timely second amended complaint, the Court allowed for additional time until September 18, 2013, to file the pleading. The Court also advised that failure to timely file an amended pleading might result in dismissal of this case.

On September 10, 2013, the plaintiff filed a document titled Amended

Complaint pursuant to Civil Local Rule 41(b). He asks that he be allowed to continue this case against Kenosha County. The plaintiff goes on to describe an alleged procedural due process violation based on his probation officer's revocation of his probation. It appears that the plaintiff wishes to proceed on a claim based on these allegations, which are unrelated to the original complaint allegations. However, any new claims must be brought in a separate action.

In three separate orders, the Court has directed the plaintiff to file a comprehensive amended complaint based on his medical care allegations. He has failed to do so. The plaintiff has also been warned that failure to file an amended complaint might result in dismissal of this action. The latest filing does not set forth a reason why the plaintiff failed to comply with the Court's orders.

IT IS THEREFORE ORDERED that this case is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

IT IS FURTHER ORDERED that the Clerk of Court enter judgment dismissing the plaintiff's claim and this action.

Dated at Milwaukee, Wisconsin, this 13th day of November, 2013.

SO ORDERED,


HON. RUDOLPH T. RANDA
U. S. District Judge